

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA**

**INSTRUCTIONS FOR PERSONS IN FEDERAL CUSTODY FOR FILING A MOTION
TO VACATE, SET ASIDE, OR CORRECT SENTENCE UNDER 28 U.S.C. § 2255**

*Pro se § 2255 motions will not be considered by the Court unless this
§ 2255 form has been completed by the movant/defendant as explained below.*

Explanation and Instructions – Read Carefully

1. This motion must be legibly handwritten or typewritten, and signed by the movant under the penalty of perjury. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper space on the form.
2. You must include all grounds for relief and a summary of facts supporting each ground raised, as claims raised later may be barred. You may submit additional pages to explain the facts which you rely upon to support your grounds for relief.
3. No citation of authorities need be furnished. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum not to exceed 25 pages in length absent prior leave of court. The form must still be completed.
4. Generally, motions filed pursuant to § 2255 must be filed within one year from the date your conviction becomes final. Refer to the text of title 28 U.S.C. § 2255 for specific details on the statute of limitations that applies to these motions.
5. If you have previously filed a § 2255 motion regarding the conviction or sentence challenged in the instant motion, authorization for a second or successive motion to vacate must be obtained from the Eleventh Circuit Court of Appeals. See 28 U.S.C. § 2244(b)(3). Forms for requesting such authorization may be obtained from this court or the Eleventh Circuit.
6. When the motion is fully completed, the original and two copies must be mailed to the Clerk of the United States District Court in the division in which you were convicted:

<u>Tallahassee Division</u> Clerk, U.S District Court 111 N. Adams St. Tallahassee, FL 32301-7717	<u>Gainesville Division</u> Clerk, U.S District Court 401 SE First Ave., Room 243 Gainesville, FL 32601	<u>Pensacola OR Panama City Division</u> Clerk, U.S District Court 1 N. Palafox St., Room 226 Pensacola, FL 32502-5658
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7. Upon receipt, the motion will be filed if it is in the proper order. No filing fee is required.
8. While this case is pending, you must immediately file a notice of address change with the Court upon transfer or release. Failure to notify the Court of a new address may result in dismissal of the case for failure to prosecute.
9. Once the Court has ordered a response and counsel for the government has appeared, any documents sent to the Court must also be sent to counsel as reflected in a certificate of service showing the date the document or copy was mailed. Failure to include a certificate of service may result in a document being returned to you without filing.